

## EXHIBIT “C”



(10)

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE  
PUBLIC HEALTH SERVICE  
FOOD AND DRUG ADMINISTRATION  
WASHINGTON, D.C. 20204  
April 10, 1979

Mr. David B. Daugherty, President  
Zink & Triest Company, Inc.  
P.O. Box 321  
Montgomeryville, Pa. 18938

Dear Mr. Daugherty:

This is in reply to your letter of 3/16/79 concerning the use of a flavor blend (other natural flavors) in category I ice cream.

The definition and standard of identity for ice cream (21 CFR 135.110) as it pertains to the designation of flavors in the identity statement for this food was established long before the development of the general flavor regulations published under 21 CFR 101.22. Consequently, the labeling requirements for the declaration of flavors in the name of ice cream are specifically provided for by the standard and is separate and apart from the general flavor regulations. Therefore, the standard for ice cream does not provide for the label designation of "With other flavors" (WONF).

A product identified as "Vanilla Ice Cream" is subject to the category I ice cream requirements and, therefore, must contain only the characterizing flavor derived from vanilla beans.

We hope this information is helpful.

Sincerely yours,

A handwritten signature in black ink, appearing to read "J. L. Summers".

J. L. Summers  
Assistant to the Director  
Division of Regulatory Guidance  
Bureau of Foods